

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

Case No. 4:92-CV-110

Hon. Richard Alan Enslen

ORDER

On October 12, 2006, during a public hearing, the Court received a written motion from Larry D. Blue, a non-attorney who identified himself as a representative of prisoners and their family members affected by the medical and correctional care within *Hadix* facilities. The motion seeks injunctive relief, including the convening of a grand jury, relating to the August 6, 2006 prisoner death discussed during the hearing. The interests asserted by Mr. Blue, a non-attorney and non-class member, are already represented in this action by class members and their counsel such that he lacks standing to assert those rights. *See* Fed. R. Civ. P. 24(a); *Grubbs v. Norris*, 1988 WL 107163, *1 (6th Cir. Oct. 17, 1988); *Tenn. Ass'n of Health Maint. Org., Inc. v. Grier*, 262 F.3d 559, 566 (6th Cir. 2001); *Ziegler v. State of Mich.*, 90 Fed. Appx. 808, 810 (6th Cir. Jan. 23, 2004) (citing *Fymbo v. State Farm Fire & Cas. Co.*, 213 F.3d 1320, 1321 (10th Cir. 2000)). Despite this ruling, the Court does welcome the public comment of groups and individuals with interests in correctional treatment, which comment should be directed to legal counsel.

THEREFORE, IT IS HEREBY ORDERED that Larry D. Blue's Motion for Injunctive Relief (Dkt. No. 2161) is **DENIED**.

DATED in Kalamazoo, MI:
October 18, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE